

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1-10 and 12-18 are currently pending in this application. Claims 1, 6, 12, 13, and 18 have been amended to correct minor informalities. Applicants submit that no new matter has been introduced into the application by these amendments.

Claim Objections

The Examiner objected to claims 1, 6, 12, 13, and 18 because of minor informalities. Applicants respectfully submit that all minor informalities objected to by the Examiner have been corrected in the foregoing Amendment.

The withdrawal of the objection to claims 1, 6, 12, 13 and 18 is respectfully requested.

Claim Rejections - 35 USC §112

Claims 13-18 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 13 and 18 have been amended to more distinctly claim the subject matter which the applicant regards as the invention.

Claims 14-17 depend on claim 13. The withdrawal of the §112 rejection of claims 13-18 is respectfully requested.

Claim Rejections - 35 USC §101

Claims 13-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 13 and 18 have been amended to direct the claims towards statutory subject matter.

Claims 14-17 depend on claim 13. The withdrawal of the §101 rejection of claims 13-18 is respectfully requested.

Claim Rejections - 35 USC §102

Claims 1-6, 8-10, and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication No. 2005/0054381 to Lee et al., (hereinafter “Lee”).

Effective date of Lee

Lee was published March 20, 2005 and claims priority from a provisional application filed on September 5, 2003. Therefore, the effective date of Lee as a reference is at best September 5, 2003.

Applicant: Ozluturk et al.
Application No.: 10/726,372

Declaration Swearing Behind Lee

The Applicants hereby submit a Declaration pursuant to 37 C.F.R. 1.131 showing that the subject matter of the present application was invented prior to the effective date of Lee. The Declaration enclosed herewith along with Exhibit A, which is (a copy of an Inventor Disclosure Form and Invention Disclosure submitted by the inventors to their company's Legal Department prior to the effective date of Lee. The dates on the Invention Disclosure Form and Invention Disclosures are redacted in Exhibit A as permitted by MPEP Sec. 715.07 (II).

Pursuant to the enclosed Declaration, the present invention was invented prior to the effective date of Lee. Accordingly, withdrawal of the rejections based on Lee is respectfully requested.

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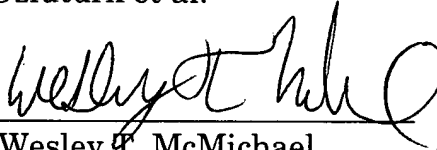
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment, declaration, and remarks, Applicants respectfully submit that the present application, including claims 1-10 and 12-18, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Ozluturk et al.

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